

## BOARD OF SELECTMEN

October 14, 2008  
Minutes

The Board of Selectmen met on Tuesday, October 14, 2008 in the Town Hall Clark Room. Those present were Selectmen Douglas A. G. Stevenson, John D. Williams, Alan Carpenito, Timothy F. Hult, and Town Administrator Madonna J. McKenzie.

The meeting was called to order at 7:00 p.m. by Chairman Stevenson.

Mr. Stevenson spoke about the passing of Marshall 'Pete' Simonds. Mr. Simonds was the Town Moderator for approximately thirty years. Mr. Stevenson offered condolences to Mrs. Simonds and her family.

### Town Administrator Report

Mrs. McKenzie said the first part of her report would be a brief update on the state of the Town's accounts from Finance Director Larry Barton. Larry said he has stayed focused on the Town's assets. He works with five institutions that are considered strong, noting that he meets with them frequently throughout the year. Larry spoke about the Town's resources. He talked about the Trust funds. He said there is about one-half million dollars invested in four trust funds. The amount of total resources is \$8.7 million. Larry mentioned that he uses three banks, which are UniBank, Enterprise Bank and Mellon Bank. He noted that they are all in good standing and have not been exposed. Larry then spoke about the recent news from the Governor's office regarding State aid. He gave a few 'what if' scenarios if 10% state aid was cut. Larry said the Governor would cut state aid as a last resort. He also added that it would take an act of legislature to do so.

Mrs. McKenzie said the Carlisle Police Department has asked for permission to use the Common on October 31<sup>st</sup>. Present for this discussion was Sergeant Scott Barnes who explained that Fern's owner Larry Bearfield and the Carlisle Police developed this idea as an activity that would be a positive alternative for older children after trick or treating has finished. Their intent is to provide a movie (age appropriate) for approximately two hours on the Common. Sgt. Barnes added that he has talked with the First Religious Society relative to this event. On a motion made by Mr. Carpenito and seconded by Mr. Williams, it was unanimously **VOTED** to approve the usage of the Town Common for the showing of a "Spooky Movie Night on the Common" on October 31, 2008 from 7:30 p.m. to approximately 9:30 p.m. contingent upon the approval of the First Religious Society and the Police Chief.

Mrs. McKenzie said the Board has received a letter from Sabrina Perry expressing concern that signs that do not pertain to events at the Center Park not be allowed in the Center Park as a rule. Mrs. McKenzie explained that the Board approved the Garden Club's placement of pumpkins in various locations in Town for their 'Pumpkins on the Common' event. Sabrina has asked that no signs be placed in the Center Park.

Mrs. McKenzie said the Board has received a request for an expenditure of funds from the Heald Poor Fund to pay for the bills submitted for a family in temporary need due to special circumstances

in the amount of \$12,826.30. She said the amount contributed to the fund for this specific purpose was \$10,145.00. She said that leave \$2,681.00 un-expendable. She therefore recommended that the \$10,145.00 be expended from the Heald Poor Fund. The Board discussed the existing balances in the Heald Poor Fund and the Caroline Hill Fund. On a motion made by Mr. Williams and seconded by Mr. Carpenito, it was unanimously **VOTED** to approve the expenditure of up to \$10,145 from the Heald Poor Fund for bills submitted. After a brief discussion a motion was made by Mr. Carpenito and seconded by Mr. Williams it was unanimously **VOTED** to appropriate \$2,681.00 from the Caroline Hill Fund to supplement the \$10,145.00

Mrs. McKenzie said the Board received a request for assistance for a family in Carlisle. On a motion made by Mr. Williams and seconded by Mr. Carpenito, it was unanimously **VOTED** to approve the expenditure of up to \$1,000.00 for the requested needs from the Caroline Hill fund.

The Board was asked to approve a Drainage Easement over and under a portion of property located at 6 Patten Road. The Easement will allow work to be done on Stearns Street. On a motion made by Mr. Williams and seconded by Mr. Carpenito, it was unanimously **VOTED** that the Board of Selectmen, acting for the Town of Carlisle, accept the grant by Steven A. Wright of 6 Patten Lane, Carlisle, Massachusetts, of a drainage easement over and under a certain portion of his property located at 6 Patten Lane in Carlisle, as shown as "Proposed 20' Wide Drainage Easement" on a plan of land entitled "Easement Plan of Land in Carlisle, Massachusetts (Middlesex County)", prepared by Stamski and McNary, Inc. for the Town of Carlisle and dated January 23, 2007.

The North Eastern Massachusetts Law Enforcement Council Interagency Mutual Aid/Assistance Agreement was presented to the Board. Mrs. McKenzie asked the Board to approve the agreement and authorize the chairman to sign same. On a motion made by Mr. Williams and seconded by Mr. Carpenito, it was unanimously **VOTED** to approve and authorize Chairman Stevenson to sign the NEMLEC Agreement adopted in accord with M.G.L. c. 40, Section 8G and M.G.L. c.41, Section 99.

### **Fire Department Ambulance**

Fire Chief David Flannery was present to make a recommendation to replace an 11 year old ambulance and to purchase a new ambulance and equipment. He said the balance in the ambulance account is \$281,877, which is sufficient to purchase the new ambulance. The ambulance would not be delivered until April 2009. Chief Flannery said the one bid received in response to the RFP was opened on September 17<sup>th</sup>. It was from Greenwood Emergency Vehicles, Inc. in the amount of \$188,825. It included a trade-in allowance of \$10,900.00 for the 1988 ambulance. The Chief recommended purchasing it and the 72 month warranty and the warranty for 9 years. On a motion made by Mr. Hult and seconded by Mr. Williams, it was unanimously **VOTED** to authorize the chairman to enter into an agreement for the purchase of an ambulance for the Town of Carlisle in the amount of \$191,520.00, [with] the funds to be taken from the ambulance fund.

Chief Flannery explained it was necessary to purchase new equipment for the ambulance as well as replace some old equipment including the 20 year old radios. In addition, exhaust pipe modifications needed to be made at the firehouse for the new ambulance. He recommended these additions and modifications. On a motion made by Mr. Williams and seconded by Mr. Carpenito, it was unanimously **VOTED** to authorize the expenditures from the ambulance receipts account in the amount of \$49,570.00 for the replacement of the equipment.

### **Cemetery Deeds**

The Board of Selectmen, in their role as Cemetery Commissioners, made the following deed transfer. On a motion made by Mr. Williams and seconded by Mr. Hult, it was unanimously **VOTED** to transfer to Andrew and Denise Sturtz of Carlisle, Massachusetts, Deed #628 for Cemetery Lot #D272, Graves 1, 2 and 3 in the Green Cemetery.

### **Appointments**

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A motion was made by Mr. Williams to appoint Kent Gonzales from the Planning Board, Mark Spears from the Recreation Commission, Sylvia Sillars from the Historical Commission, Tim Hult from the Board of Selectmen and Julia Lavelly a Community Representative at Large, to the Community Preservation Committee for a term that will end June 30, 2009. The motion was seconded by Mr. Carpenito and the **vote was 3 yes 1 abstaining**.

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The Minutes to the Board of Selectmen meeting of September 23, 2008 were approved as presented.

### **Request for Special Town Meeting**

Lee Storrs was present from the School Building Committee. He said the School Building Committee is requesting the Board of Selectmen call a Special Town Meeting for the purpose to vote to appropriate funding for the schematic design of the building project. Lee said the committee was specifically looking at a January 2009 timeframe. There was a discussion about HMFH, who has worked with the school before, as the possible design firm. Lee said the next step would be to go through an interview process with HMFH. The SBC is in the process of doing reference checks on HMFH. Lee said a few members of the committee will visit some of the work that HMFH has done in the Towns of Lincoln and Waltham (site visits that are similar in nature to CPS) on Friday. Mr. Stevenson said tonight the Board will not make a decision on calling a Special Town Meeting or recommending HMFH. He said Lee was here to educate everyone on the Special Town Meeting request and the HMFH issue. Lee said he would be back in two weeks with a recommendation. He said the School Building Committee will also have to confer with MSBA on this matter.

Mr. Hult expressed his concerns over residents who are on fixed incomes. He said these are times that are very uncertain and it is important to have all of the numbers right before a special Town Meeting. He also suggested to Lee that he might talk about the cost if they waited on or prolonged this project.

Mr. Stevenson asked Lee how certain or confident was the Committee that MSBA would approve HMFH. Lee said they were going to start some dialog with MSBA now about using HMFH.

### **Highland Building – Next Steps**

Mr. Hult said the first meeting of the Community Preservation Committee will be next Monday (Oct. 20<sup>th</sup>). Doug said the next step would be to discuss handling the use change or control change of the Highland Building. Carlisle Public School Superintendent Marie Doyle spoke; she said the school committee has talked about relinquishing control of the Highland Building, but not the land. She said there is a sub-committee working on the Highland, but no formal action has been taken, just discussion. Mr. Carpenito said he has talked with all of the former members of the Highland Building Study Group and they are willing to continue on this committee. Mr. Stevenson said he and Mr. Tice will work with the School Committee.

### **Fern's Site Plan Review Decision**

Mr. Stevenson asked if there were any questions on the Conditions that were prepared for the Site Fern's Plan Review from the previous meeting. Mr. Hult said the last time the Board considered the Conditions, there were some open issues. Larry Bearfield, who was present, spoke about his meeting with the Historical Commission.

Mr. Stevenson said he wanted to go over the issue of the zoning bylaw regarding beer and wine sales in the Center Business District. He said he did not believe that going into Executive Session to discuss the Advisory Opinion was the appropriate thing to do. He said he spoke with Town Counsel and he did some research on this issue. He said he realized the most important goal to remember is the reasons for Executive Session. Mr. Stevenson explained that upon a request, not from this Board, but from another Board, the initial Advisory Opinion was promulgated by Town Counsel. He said he received a copy of it, but was not aware that the other Board members did not. He said in regard to the Advisory Opinion itself, he spoke to the principal at Town Counsel about the Board of Selectmen

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convoluted opinion he gave the first time. Mr. Stevenson said Town Counsel has provided a new advisory opinion that does not contain the same rationale, but clearly supports the Building Inspector's interpretation of the zoning by-law.

After a discussion, the Board decided they would like to have an update on all Town Counsel documents, correspondence and decisions, at each meeting.

### **Liaison Reports**

Mr. Hult said the Council on Aging Survey is ready to be sent out to the entire Town.

Mr. Williams said the Finance Committee has a strong desire to meet with the members of the Concord Finance Committee and Board of Selectmen. Mr. Williams relayed their frustrations over the lack of interest in revenue enhancement. They wanted to know if the Board was interested in having a fee discussion. Mr. Stevenson suggested that the Board review the Revenue Enhancement report.

Mr. Carpenito said the absentee ballots are in at the Town Clerk's office.

Mr. Stevenson gave an update on the FinTeam meeting from this morning. He said the discussion was about the Board of Assessors and a possible interim adjustment of property values. He said a revaluation was done two years ago, but apparently there is a state statute that says that if there is a variance of greater than 10% between sales values and assessed values, the assessors are required to do an interim adjustment. The Assessors are discussing this action. Mr. Stevenson said certain types of homes may be reduced, but others may remain the same. Mr. Stevenson said this is not about the land values, it is house values.

The Board then discussed their November meeting schedule. The first meeting in November had to be canceled as it is Veterans Day. The Board decided that instead, they will meet on Monday, November 10<sup>th</sup>. The Board will also meet on November 25<sup>th</sup> as already scheduled.

### **Executive Session**

At 9:17 a motion was made by Mr. Carpenito to go into Executive Session to discuss issues relative to collective bargaining, not to return to open session. The motion was seconded by Mr. Williams and the following roll call vote was taken: Williams – aye; Hult – aye; Carpenito – aye; and, Stevenson – aye.

Open Session adjourned at 9:17 p.m.

Respectfully submitted by Margaret M. deMare